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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,783	11/07/2000	Hideto Miyazaki	199322US2	8390
22850	7590	06/08/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			SINGH, SATWANT K	
1940 DUKE STREET			ART UNIT	
ALEXANDRIA, VA 22314			PAPER NUMBER	

2626

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/706,783

Applicant(s)

MIYAZAKI ET AL.

Examiner

Satwant K Singh

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/07/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,8,9,12 and 13 is/are rejected.
- 7) ☒ Claim(s) 2,3,6,7,10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. Figure 21 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The specification is objected to because of the following informalities: Page 16, line 16. The specification states that " a RAM 232 and ROM 233 and a console panel 234, all of which are connected to the image memory access controller 211." The image memory access controller is actually 221.

Appropriate correction is required.

Claim Objections

3. Claim 3 is objected to because of the following informalities: Page 57, line 9. This claim is dependent on claim 4, which is not a preceding claim. It appears to the examiner that the claim should be dependent on claim 2. For purposes of examination, the Examiner will assume that claim 3 depends on claim 2

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 5 - 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5, page 58, lines 14-16 state that the "entirety controlling unit controls the processing information in a freely stored manner until the completion of the processing information ...". The examiner is unclear as to the meaning of this statement.

Claim 9, page 60, lines 23-25 state that the "entirety controlling unit controls the process information in a readable manner until the completion of the reading of the processing information ...". The examiner is unclear as to the meaning of this statement.

Claims 6-8 and 10-12 are rejected for depending on claims 5 and 9.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1, 4, 5, 8, 9, 12 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Minamizawa (US 6,064,490).

Regarding claims 1 and 13, Minamizawa describes a peripheral multifunction device (MFD) 2 in Fig. 1, which is provided with a CPU 31, ROM 32, RAM 33 and EEPROM 34. An entirety controlling unit (which reads on CPU 31) (col. 4, line 63) connected to at least two units out of an image reading unit (which reads on scanner 38) for reading image data, an image processing unit (which reads on RAM 33) which subjects the image data to image processing such as edition (col. 6, lines 14-15 and col. 11, lines 25-29) and an image writing unit (which reads on printer 39) for writing the image data on a paper, wherein said entirety controlling unit (which reads on CPU 31) controls processing between said units and transmission/reception of the image data between the units (col. 4, line 63); and a memory unit (which reads on ROM 32) which previously stores processing information on the content of the image processing with respect to the image data; wherein said entirety controlling unit (which reads on CPU 31) reads a part of the processing information stored in said memory unit (which reads on ROM 32) and stores the read information in a storage unit provided in said image processing unit (which reads on RAM 33); and said image processing unit (which reads on RAM 33) subject the image data to the image processing based on the processing information stored in said storage unit (col. 6, lines 25 – 29).

Regarding claims 4, 8, and 12, the CPU 31 controls the function of the whole of the MFD 2 (col. 4, line 63). The CPU 31 performs the same function as the entirety controlling unit in the applicant's claims.

Regarding claim 5, as best understood from the language of the claim, is rejected for the same reasons as Claim 1.

Regarding claim 9, as best understood from the language of the claim, is rejected for the same reasons as Claim 1.

Thus it reasonably appears that Minamizawa describes or discloses every element of claims and therefore anticipates the claims subject to this rejection.

Allowable Subject Matter

7. Claims 2, 3, 6, 7, 10, and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (703) 306-3430. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SKS

Satwant K. Singh

KA Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER